

Application No. 10/840,107
Response dated: April 20, 2006
Reply to Office Action dated: February 1, 2006

REMARKS

In response to the Office Action dated February 1, 2006, Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-37 are pending in the present Application. Claim 1 has been amended, Claim 38 has been added and Claims 6, 7, 10-15 and 22-37 are withdrawn, leaving Claims 1-5, 8, 9, 16-21 and 38 for consideration upon entry of the present amendments and following remarks.

Support for the amendments to the claims is at least found in the specification, the figures, and the claims as originally filed. More particularly, support for amended Claim 1 is at least found in Figure 3 of the originally filed drawings. Support for new Claims 38 is at least found in originally filed Claims 1-3.

No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. §102

Claims 1-5, 8, 9 and 16-21 are rejected under 35 U.S.C. §102(e) as being anticipated by Ozawa et al., U.S. Patent No. 6,956,632 (hereinafter "Ozawa"). Applicants respectfully traverse.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Amended Claim 1 recites, *inter alia*,

"an organic insulation layer disposed over the transparent substrate, the organic insulation layer being thinner gradually at a boundary between the transmissive window and the reflective window;

a pixel electrode formed in the transmissive region and the reflective window;
a reflective layer disposed over the organic insulation layer of the reflective window."

In the Office Action, the Examiner indicates that Ozawa discloses "an organic insulation layer disposed over the transparent substrate, the organic insulation layer being thinner gradually

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at a boundary between the transmissive window and the reflective window," of Claim 1, but does not specify which element is being considered this feature of the claimed invention. For purposes of this Office Action, Applicants consider the layer-thickness adjusting film 6 as shown in Figs. 1-6 as teaching the "organic insulation layer."

The Examiner further indicates that Ozawa discloses "a reflective layer disposed over the organic insulation layer of the reflective window," but does not specify which element is being considered this feature of the claimed invention. For purposes of this Office Action, we consider the reflecting layer 4 as shown in Figs. 1-5 as teaching the "organic insulation layer."

In each of the Figs. 1-5 of Ozawa, the reflecting layer 4 is shown to be *under* the layer-thickness adjusting film 6 (considered as the organic insulation layer), not *above*. With respect to Fig. 6, Applicants note that Ozawa does not disclose a reflecting layer like in Figs. 1-5. Therefore, Ozawa fails to disclose "a reflective layer disposed over the organic insulation layer of the reflective window" of amended Claim 1.

Ozawa discloses with respect to Figure 6 that the pixel electrodes are disclosed as comprising light reflecting electrodes 11R that include an aluminum film or a silver alloy film and first transparent electrodes 11T each constituted of an ITO film or the like. (Col. 18, lines 26-41.) In this embodiment, the arrangement is made that the light reflecting layers also serves as a pixel electrode. (*Id.*) Reflective electrode 11R is formed in reflective display region 31 and is not formed in transmissive display region 32. (*Id.*)

For purposes of this response, if reflecting electrode 11R is considered as a reflective layer, the transparent electrode 11T would be considered a pixel electrode. That is, reflecting electrode 11R cannot be considered both a reflective layer *and* a pixel electrode as they are the same feature and the reflective layer is not formed in the transmissive region 32, as disclosed by Ozawa. Therefore, Ozawa fails to disclose "a reflective layer disposed over the organic insulation layer of the reflective window and a pixel electrode formed in the transmissive region and the reflective window" as claimed.

Regarding Claims 8 and 16, the Examiner states that Ozawa discloses "the second boundary is inclined steeper than the first boundary" in at least Figures 1b and 1c. Applicant respectfully disagrees. Ozawa merely discloses that the layer thickness adjusting layer 6 constitutes an upward inclines surface 60 in the boundary region of the reflective display region

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31 and the transmissive display region. (Col. 9, lines 31-35 with respect to Figures 1C-1C, Col. 12, lines 11-14 with respect to Figures 2A-2C, Col. 13, line 66 to Col. 14, line 2 with respect to Figure 3A-3C, Col. 15, lines 56-59 with respect to Figures 4A-4B, Col. 17, lines 41-44 with respect to Figure 5 and Col. 18, lines 63-66 with respect to Figure 6.) Figures 1-6 illustrate the inclined surfaces 60 at substantially the same incline.

Applicants find no disclosure in Ozawa of the second boundary is inclined steeper than the first boundary of Claims 8 and 16 and respectfully request the Examiner to provide further explanation as to how Ozawa discloses the limitations of Claims 8 and 16.

Thus, Ozawa fails to teach all of the limitations of at least Claims 1 (as amended), 8 and 16. Accordingly, Ozawa does not anticipate Claims 1 (as amended), 8 and 16. Applicants respectfully submit that Claims 1, 8 and 16 are not further rejected or objected and are therefore allowable. Claims 2-5, 9 and 17-21 variously depend from Claim 1 and are correspondingly allowable as depending upon Claim 1. Reconsideration and allowance of Claims 1-5, 8, 9 and 16-21 are respectfully requested.

For all the reasons stated above, Applicants further submit that new Claim 38 is allowable over Ozawa. Consideration and allowance of Claim 38 is also respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

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In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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